



July 14, 2005

Deborah A. Garza, Chair
Jonathan R. Yarowsky, Vice Chair
Antitrust Modernization Commission
1120 G Street, NW, Suite 810
Washington, DC 20005

Dear Ms. Garza and Mr. Yarowsky:

In response to the *Federal Register* notice of May 19, 2005 requesting public comment on certain issues being studied by the Commission, the Water & Wastewater Equipment Manufacturers Association Inc. (WWEMA) would like to voice its support for the Export Trading Company (ETC) and Webb-Pomerene Acts and urge the Commission not to recommend the elimination or limitation of these laws.

WWEMA is a Washington, D.C.-based non-profit trade association, founded in 1908 to represent the interests of companies that manufacture technologies used in the municipal and industrial water and wastewater industries worldwide. Our members have been engaged in helping communities across the Nation meet and exceed the requirements of the Clean Water Act and Safe Drinking Water Act, since their inception. Our member companies employ over 43,000 workers and account for annual revenues in excess of \$6 billion. WWEMA has a major stake (as well as expertise) in all aspects of U.S. trade policy. We know from experience that (1) joint export trade is important to America's success in the world economy, and (2) the Webb-Pomerene and ETC provisions are essential in creating the conditions for joint export trade to occur. The cooperation fostered by these laws enables U.S. firms and industries to compete much more effectively in export markets. In addition, the ETC provides anti-trust immunity that protects member companies from being sued by their competitors for restraint of trade or monopolistic practices. ETC members can also indemnify each other against actions brought against them by outside parties. It helps members reach, collectively, emerging markets (notably including China) which they could not reach individually. It enables exporters to negotiate better rates for larger volumes of trade, helping reduce variable costs of transportation, warehousing and handling. It allows U.S. suppliers to consolidate market research and administrative costs and to mitigate various kinds of risks, ranging from non-payment to demand slumps, disruption in deliveries, political turmoil and even natural disasters.

At a time when U.S. trade deficits are setting record highs, and the need for effective public policy in support of export trade has never been greater, the repeal or restriction of these valuable measures would represent a major setback that would greatly hinder the ability of U.S. exporters to compete internationally.

Sincerely,


Susan G. Holling
Vice President

P.O. Box 17402 • Washington, DC 20041 • Tel: 703-444-1777 • Fax: 703-444-1779

www.WWEMA.org